

Declaration and Power of Attorney for a Patent Application

Declaration

As below named inventor, I hereby declare that my residence post office address, and citizenship are as stated below my name. Further, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CARRIER CLASS DWDM OPTICAL NETWORK AUDIT TOOL

the specification of which:

..... ☒ is attached hereto, or
 was filed on as application serial no. : and
 was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; and

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

Foreign Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Number | Country | Date Filed | Priority Claimed |
|--------|---------|------------|--------------------|
| | | | yes no |
| | | | yes no |

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 and 199(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Serial Number | Filing Date | Status (patented/pending/abandoned) |
|---------------|-------------|-------------------------------------|
| | | |
| | | |

Power of Attorney

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent Trademark Office connected therewith.

| | |
|----------------------|--------------------------|
| James P. Hao | Registration No.: 36,398 |
| Anthony C. Murabito | Registration No.: 35,295 |
| John P. Wagner | Registration No.: 35,398 |
| Glenn D. Barnes | Registration No.: 42,293 |
| Thomas M. Catale | Registration No.: 46,434 |
| Jose S. Garcia | Registration No.: 43,628 |
| Kenneth N. Glass | Registration No.: 42,587 |
| Lin C. Hsu | Registration No.: 46,315 |
| Mehlin Dean Matthews | Registration No.: 46,127 |
| Ronald M. Pomerence | Registration No.: 43,009 |
| John F. Ryan | Registration No.: 47,050 |
| William A. Zarbis | Registration No.: 46,120 |
| Matthew J. Blecher | Registration No.: 46,558 |
| Lawrence R. Goerke | Registration No.: 45,927 |

Send Correspondence to:

WAGNER, MURABITO & HAO LLP
Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060

Signatures

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor: Joseph Depaolantonio

Inventor's Signature X Joseph Depaolantonio Date X 4/13/01

Residence Apex, North Carolina Citizenship USA
(City State)

P.O. Address 2303 Speckled Alder Port, Apex, North Carolina 27502